



PATENTS  
Attorney Docket No. AEOMICA-X-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Penn et al.  
Application No. : 09/864,761 Confirmation No.: 6802  
Filed : May 23, 2001  
For : HUMAN GENOME-DERIVED SINGLE EXON  
NUCLEIC ACID PROBES USEFUL FOR GENE  
EXPRESSION ANALYSIS  
Group Art Unit : 1631  
Examiner : Cheyne Dune Ly

#13  
Plonkett  
3/11/03

Palo Alto, CA 94301  
March 3, 2003

Hon. Commissioner for Patents  
c/o P.O. Box 2327  
Arlington, Virginia 22202

RECEIVED  
MAR 10 2003  
TECH CENTER 1600/2900

RESPONSE TO REQUIREMENTS FOR  
RESTRICTION AND ELECTION OF SPECIES

Sir:

In response to the requirements for restriction and election of species mailed February 6, 2003, applicants elect without traverse to prosecute the invention of:

Group IV, claims 110-130, drawn to a method of manufacturing a microarray that has single exon probes that share at least one customer-identified attribute in common;

with further restriction (or election) to nucleic acids having the sequence set forth in SEQ ID NO:17240;

and further elect, within the elected restriction group, species A, wherein probes lack prokaryotic and bacteriophage vector sequence, as that species to which prosecution will be limited if a claim generic thereto is not found allowable;

and further elect, within the elected restriction group, species A, wherein microarray is offered for sale, as that species to which prosecution will be limited if a claim generic thereto is not found allowable.

Respectfully submitted,

3 MARCH 2003

Daniel M. Becker

Reg. No. 38,376

Attorney for Applicants

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